

## Message Text

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ACTION ARA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-03 H-02 INR-07 L-02

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 AID-05

PC-01 COME-00 EB-07 LAB-04 SIL-01 /073 W

----- 071351

R 082237Z MAY 75

FM AMEMBASSY LIMA

TO SECSTATE WASHDC 5068

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E.O. 11652: N/A

TAGS: PINT, PE

SUBJECT: CONSTITUTIONAL GUARANTEES RESTORED

1. LIMA DAILY EL COMERCIO REPORTS MAY 8 THAT, BECAUSE THE GOP HAS ISSUED NO DECREE EXTENDING THE SUSPENSION OF CONSTITUTIONAL GUARANTEES (ORIGINALLY SUSPENDED IN RESPONSE TO FEBRUARY 5 RIOTS), THESE GUARANTEES ARE RESTORED. THE STATE OF EMERGENCY PUT INTO EFFECT FEBRUARY 5 AND EXTENDED FOR TWO SUCCESSIVE 30-DAY PERIODS HAS ALSO ENDED, ACCORDING TO EL COMERCIO, FOR LACK OF A NEW DECREE. THIS CONFORMS TO ARTICLE 70 OF THE CONSTITUTION WHICH STIPULATES THAT "SUSPENSION OF CONSTITUTIONAL GUARANTEES WILL NOT EXCEED 30 DAYS. AN EXTENSION REQUIRES A NEW DECREE."

2. COMMENT: EL COMERCIO, ONLY PAPER THUS FAR TO REPORT THAT GUARANTEES REESTABLISHED AND STATE OF EMERGENCY OVER, IS CAREFUL TO BASE ITS ARTICLE SOLIDLY ON CONSTITUTIONAL PROVISIONS AND TO REFRAIN FROM EDITORIAL COMMENT. ARTICLE NOTES ONLY THAT IN SPECIAL HOMAGE TO WORKERS, RESTRICTIONS WERE LIFTED MAY 1.

3. RESTORATION OF GUARANTEES MEANS THAT PUBLIC ASSEMBLIES AND ELECTIONEERING IN POLITICAL/SOCIAL ORGANIZATIONS AGAIN PERMITTED. LABOR STRIKES WHICH HAVE BEEN OCCURRING ANYWAY ALSO PERMITTED.

4. A MAJOR CONSIDERATION IN GOP DECISION TO CONTINUE SUSPENSION

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OF GUARANTEES IN APRIL APPEARED TO BE THE LABOR SITUATION. THE

GOP MAY NOW HAVE DETERMINED THAT SUSPENSION OF GUARANTEES IS OF LIMITED USEFULNESS IN HANDLING LABOR DISPUTES AND THAT THEY WILL HAVE TO BE OPENLY FACED. IN ADDITION, FOLLOWING THE REORGANIZATION OF SINAMOS AND IN PURSUANCE OF GOALS ESTABLISHED BY THE MINISTERIAL COMMISSION ON POLITICAL ORGANIZATION FOR THE REVOLUTION, THE GOP ITSELF HAS AN INTEREST IN PROMOTING PRO-GOVERNMENT RALLIES AND ACTIVITY IN THE CAMPESINO AND LABOR AREAS.  
DEAN

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## Message Attributes

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**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** PRESS COMMENTS, CONSTITUTION, HUMAN RIGHTS, MARTIAL LAW  
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**Draft Date:** 08 MAY 1975  
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**Disposition Approved on Date:**  
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**Disposition Case Number:** n/a  
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**Disposition Date:** 28 MAY 2004  
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